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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/137,677 10/14/93 TUTTLE

M 71579.2

EXAMINER

RIVARD, P

D3M1/0117

ART UNIT PAPER NUMBER

4

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1304

DATE MAILED:  
01/17/95

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on \_\_\_\_\_  This action is made final.

A shortened statutory period for response to this action is set to expire three (3) month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6. \_\_\_\_\_

Part II SUMMARY OF ACTION

1.  Claims 1 - 24 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1 - 24 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

EXAMINER'S ACTION

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**Part III DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hara et al.

The Hara et al. patent discloses a method of manufacturing a device comprising the steps of providing a first film having a base portion 518 and a conductive cover portion 721. The portions are sealed together, encapsulating a battery 524 and an IC chip 530. Polymeric material 517 is provided to cover the film, and conductive adhesive 535 is employed to secure lead terminal portions 741a, 742a to battery connecting terminals 537, (col. 10, lines 1-66).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

4. Claims 1-2, 6, 10, 14-17, and 20 are rejected under 35 U.S.C. § 103 as being unpatentable over Hara et al. as applied in paragraph 2 above, further in view of Queyssac.

The Queyssac reference discloses a method of producing an integrated circuit module, comprising the step of encapsulating a battery **30** and an IC chip **12** between a conductive layer **28A, 28B** and a polymeric layer **30**.

It would have been obvious to one having ordinary skill in the art to have directly bonded the cover layer to the base layer taught by Hara et al., since Queyssac recognizes the desirability of securing a conductive layer directly to a polymeric layer which encapsulates a battery and integrated circuit.

5. Claims 7-9, 11-13, and 21-23 are rejected under 35 U.S.C. § 103 as being unpatentable over the references as applied in paragraph 4 above, further in view of Christenson.

The Christenson reference discloses a process of forming an integrated circuit device employing a conventional barrier layer

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or insulating layer 71 formed of silicon oxide or silicon nitride, (col. 8, lines 44-50).

It would have been obvious to one having ordinary skill in the art to have deposited a silicon oxide barrier layer on the polymer film taught by Hara et al., since Christenson recognizes the desirability of providing a conventional silicon oxide or silicon nitride layer to facilitate deposition of a conductive patterned layer.

6. Claims 3-5, 18-19, and 24 are rejected under 35 U.S.C. § 103 as being unpatentable over the references as applied in paragraph 4 above, further in view of Henke et al.

The Henke et al. patent discloses an integrated circuit 368 comprising a transceiver 10 having a conductor with an antenna geometry 12, (col. 4, lines 29-41). The reference further teaches receiving a test signal from test jack 82 through the antenna 12 to test the transceiver, (col. 6, lines 33-47).

It would have been obvious to one having ordinary skill in the art to have provided a conventional antenna geometry and a signal to test the transceiver taught by the prior art references, since Henke et al. recognize the desirability of employing an antenna and a test jack to enhance integrated circuit performance.

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*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Paul Rivard whose telephone number is (703) 308-1917.

  
DAVID A. SIMMONS  
SUPERVISORY PATENT EXAMINER  
ART UNIT 134

  
pmr  
January 7, 1995